

PTO/SB/21 (09-04)

Approved for use through 07/31/2006. OMB 0651-0031
U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

TRANSMITTAL FORM

(to be used for all correspondence after initial filing)

Total Number of Pages in This Submission

Application Number	10/767,408
Filing Date	1/28/2004
First Named Inventor	Harvey A. Fishman
Art Unit	3738
Examiner Name	Not Yet Assigned
Attorney Docket Number	S00-188/CIP

Total Number of Pages in This Submission

ENCLOSURES (Check all that apply)

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached <input type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Reply to Missing Parts/ Incomplete Application <input type="checkbox"/> Reply to Missing Parts under 37 CFR 1.52 or 1.53	<input type="checkbox"/> Drawing(s) <input type="checkbox"/> Licensing-related Papers <input checked="" type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation <input type="checkbox"/> Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____ <input type="checkbox"/> Landscape Table on CD	<input type="checkbox"/> After Allowance Communication to TC <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to TC (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Other Enclosure(s) (please Identify below): Statement Concerning Inventorship Recordation, Declaration, Assignment, Consent of Assignee
<input type="text"/> Remarks		

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm Name	Lumen Intellectual Property Services, Inc.		
Signature			
Printed name	Ron Jacobs		
Date	5-18-05	Reg. No.	50,142

CERTIFICATE OF TRANSMISSION/MAILING

I hereby certify that this correspondence is being facsimile transmitted to the USPTO or deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on the date shown below:

Signature		
Typed or printed name	Sylvia Lee	Date
	5/18/05	

This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.11 and 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.



Effective on 12/08/2004.

Fees pursuant to the Consolidated Appropriations Act, 2005 (H.R. 4818).

FEE TRANSMITTAL For FY 2005

Applicant claims small entity status. See 37 CFR 1.27

TOTAL AMOUNT OF PAYMENT (\$ 170.00)

Complete if Known

Application Number	10/767,408
Filing Date	1/28/2004
First Named Inventor	Harvey A. Fishman
Examiner Name	Not Yet Assigned
Art Unit	3738
Attorney Docket No.	S00-188/CIP

METHOD OF PAYMENT (check all that apply)

Check Credit Card Money Order None Other (please identify): _____

Deposit Account Deposit Account Number: _____ Deposit Account Name: _____

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

<input type="checkbox"/> Charge fee(s) indicated below	<input type="checkbox"/> Charge fee(s) indicated below, except for the filing fee
<input type="checkbox"/> Charge any additional fee(s) or underpayments of fee(s) under 37 CFR 1.16 and 1.17	<input type="checkbox"/> Credit any overpayments

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

FEE CALCULATION

1. BASIC FILING, SEARCH, AND EXAMINATION FEES

<u>Application Type</u>	<u>FILING FEES</u>		<u>SEARCH FEES</u>		<u>EXAMINATION FEES</u>		
	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Small Entity</u>	<u>Fee (\$)</u>	<u>Fees Paid (\$)</u>
Utility	300	150	500	250	200	100	_____
Design	200	100	100	50	130	65	_____
Plant	200	100	300	150	160	80	_____
Reissue	300	150	500	250	600	300	_____
Provisional	200	100	0	0	0	0	_____

2. EXCESS CLAIM FEES

Fee Description

Each claim over 20 or, for Reissues, each claim over 20 and more than in the original patent

<u>Small Entity</u>
<u>Fee (\$)</u>
<u>Fee (\$)</u>

50 25

Each independent claim over 3 or, for Reissues, each independent claim more than in the original patent

200 100

Multiple dependent claims

360 180

Total Claims

Extra Claims Fee (\$) Fee Paid (\$)

Multiple Dependent Claims

Fee (\$) Fee Paid (\$)

- 20 or HP = _____ x _____ = _____

HP = highest number of total claims paid for, if greater than 20

Indep. Claims

Extra Claims Fee (\$) Fee Paid (\$)

- 3 or HP = _____ x _____ = _____

HP = highest number of independent claims paid for, if greater than 3

3. APPLICATION SIZE FEE

If the specification and drawings exceed 100 sheets of paper, the application size fee due is \$250 (\$125 for small entity) for each additional 50 sheets or fraction thereof. See 35 U.S.C. 41(a)(1)(G) and 37 CFR 1.16(s).

<u>Total Sheets</u>	<u>Extra Sheets</u>	<u>Number of each additional 50 or fraction thereof</u>	<u>Fee (\$)</u>	<u>Fee Paid (\$)</u>
- 100 =	/ 50 =	(round up to a whole number) x	=	

4. OTHER FEE(S)

Non-English Specification, \$130 fee (no small entity discount)

Other: Recordation Fee (\$40)+Petition Fee (\$130.00)

\$170.00

SUBMITTED BY

Signature		Registration No. 50,142 (Attorney/Agent)	Telephone 650-424-0100
Name (Print/Type)	Ron Jacobs		Date 5-18-05

This collection of information is required by 37 CFR 1.136. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 30 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing the form, call 1-800-PTO-9199 and select option 2.

IFW



In the US Patent and Trademark Office

Petition under 37 CFR 1.48(a) Correction of Inventorship in a Patent Application

Application No.: 10/767,408

Filing Date: 1/28/2004

Title: "Microfabricated Tissue as a Substrate for Pigment Epithelium Transplantation"

To: Special Handling Unit
Application Division
Assistant Commissioner for Patents
Alexandria, VA 22313

Sir:

This is a request under the provisions of 37 CFR 1.48(a) to correct the inventorship in the above referenced patent application. In the application as originally filed, the actual inventors were not correctly named due to an error made without any deceptive intention. Accordingly, please amend the application to name the actual inventors, as indicated below:

Original named inventors:

Harvey A. Fishman, Mark Blumenkranz, Stacey Francine Bent, Christina Lee, Philip Huie Jr. and Daniel V. Palanker

Actual (correct) inventors:

Harvey A. Fishman, Mark Blumenkranz, Stacey Francine Bent, Christina Lee, Philip Huie Jr., Daniel V. Palanker and Kalayaan V. Bilbao

Accompanying this petition is:

- a statement signed by the inventor to be added (Kalayaan V. Bilbao);
- a declaration signed by each actual inventor as required by 37 CFR 1.63;
- the petition fee set forth in 37 CFR 1.17(h);
- an assignment signed by the inventor to be added (Kalayaan V. Bilbao); and
- the written consent of the assignee.

Respectfully submitted,


Ron Jacobs
Reg. No. 50,142

**Consent of Assignee to
Correct Inventorship in a Patent Application**

Application Number: 10/767,408

Filing Date: 1/28/2004

Applicants: Harvey A. Fishman et al.

Application Title: "Microfabricated Tissue as a Substrate for Pigment Epithelium
Transplantation"

The undersigned assignee, **The Board of Trustees of the Leland Stanford Junior University**,
owns the entire right, title and interest in and to the above identified application.

The assignee consents to the change of inventorship from **Harvey A. Fishman, Mark Blumenkranz, Stacey Francine Bent, Christina Lee, Philip Huie Jr. and Daniel V. Palanker** to **Harvey A. Fishman, Mark Blumenkranz, Stacey Francine Bent, Christina Lee, Philip Huie Jr., Daniel V. Palanker and Kalayaan V. Bilbao**.

Assignee: **The Board of Trustees of the Leland Stanford Junior University**

Official Authorized to Act on Behalf of Assignee:

Signature: Katherine Ku Date: 4/21/05

Name: Katherine Ku

Title: Director, Stanford Office of Technology Licensing



Statement Concerning Inventorship

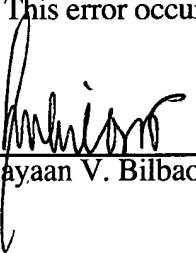
Application No.: 10/767,408

Filing Date: 1/28/2004

Title: "Microfabricated Tissue as a Substrate for Pigment Epithelium Transplantation"

As an actual inventor not named on the declaration originally filed with the above identified patent application, I do solemnly and sincerely state the following:

- The inventorship as set forth in the originally filed declaration is in error.
- This error occurred without deceptive intention on my part.



Kalayaan V. Bilbao

Declaration for Patent Application and Power of Attorney

As a below-named inventor, I hereby declare that my residence, post office address, and citizenship are as stated below next to my name, and which a patent is sought on the invention described in 10/767,408, filed on 1/28/2004 entitled **Microfabricated Tissue as a Substrate for Pigment Epithelium Transplantation.**

First or Sole Inventor:	Full name:	HARVEY A. FISHMAN		Citizenship:	U S
	Residence:	400 Claremont Way, Menlo Park, CA 94025			
	Postal Address:	Same as above			
Second Joint Inventor (if any):	Full name:	MARK BLUMENKRANZ		Citizenship:	U S
	Residence:	20 Larguita Lane, Portola Valley, CA 94028			
	Postal Address:	Same as above			
Third Joint Inventor (if any):	Full name:	STACEY FRANCINE BENT		Citizenship:	U S
	Residence:	3252 Cowper, Palo Alto, CA 94304			
	Postal Address:	Same as above			
Fourth Joint Inventor (if any):	Full name:	CHRISTINA LEE		Citizenship:	U S
	Residence:	662 Panorama Drive, San Francisco, CA 94131			
	Postal Address:	Same as above			
Fifth Joint Inventor (if any):	Full name:	PHILIP HUIE, JR.		Citizenship:	U S
	Residence:	7614 Kirwin Lane, Cupertino, CA 95014			
	Postal Address:	Same as above			
Sixth Joint Inventor (if any):	Full name:	DANIEL V. PALANKER		Citizenship:	Israel
	Residence:	1618 Wright Ave., Sunnyvale, CA 94087			
	Postal Address:	Same as above			
Seventh Joint Inventor (if any):	Full name:	KALAYAAN V. BILBAO		Citizenship:	Philippines
	Residence:	3516 Burton Ridge Dr. SE, Grand Rapids, MI 49546			
	Postal Address:	Same as above			

I have reviewed and understand the contents of the above-identified specification, including the claims, as amended by any amendment referred to above. I acknowledge the duty to disclose information which is material to the examination of this application in accordance with Title 37, Code of Federal Regulations, §1.56(a). I claim foreign priority benefits under Title 35, United States Code, §119 of any foreign application(s) for patent or inventor's certificate listed below and have also identified below any foreign application for patent or inventor's certificate having a filing date before that of the application on which priority is claimed.

PRIOR FOREIGN APPLICATION(S)

Country	Application Number	Date of Filing	Priority Claimed Under 35 U.S.C. §119
NONE			<input type="checkbox"/> Yes <input type="checkbox"/> No

I claim the benefit under Title 35, United States Code, §120 of any United States application(s) listed below and, insofar as the subject matter of each of the claims of this application is not disclosed in the prior United States application in the manner provided by the first paragraph of Title 35, United States Code, §112, I acknowledge the duty to disclose material information as defined in Title 37, Code of Federal Regulations, §1.56 which occurred between the filing date of the prior application and the national or PCT international filing date of this application.

PRIOR U. S. APPLICATION(S)

Application No.	Filing Date	Status		
09/872,513	6/1/2001	<input type="checkbox"/> Provisional	<input type="checkbox"/> Patented	<input type="checkbox"/> Pending <input checked="" type="checkbox"/> Regular

I hereby appoint Thomas J. McFarlane, Reg. No. 39,299, Marek Alboszta, Reg. No. 39,894, Ron Jacobs, Reg. No. 50,142, Katharina Wang Schuster, Reg. No. 50,000, Robert Lodenkamper, Reg. No. 55,399, and Tianhua Gu, Reg. No. 52,480 as my agents with full power of substitution to prosecute this application and transact all business in the United States Patent and Trademark Office connected therewith. Direct all correspondence to:

Lumen Intellectual Property Services, Inc.

2345 Yale Street, 2nd Floor
Palo Alto, CA 94306
tel: (650) 424-0100
fax: (650) 424-0141



500-188/cip

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Title 18, §1001 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

INVENTOR SIGNATURES

HARVEY A. FISHMAN	Date	KALAYAAN V. BILBAO	Date
MARK BLUMENKRANZ	Date		
STACEY FRANCINE BENT	Date		
CHRISTINA LEE <i>Christina Lee</i>	Date		
PHILIP HUIK JR. <i>Philip Huik Jr.</i>	4-23-2005 Date		
DANIEL V. PALANKER	Date		

Declaration, page 2 of 1

BEST AVAILABLE COPY

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Title 18, §1001 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

INVENTOR SIGNATURES

HARVEY A. FISHMAN

Date

KALAYAAN V. BILBAO

Date

MARK BLUMENKRANZ

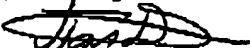
Date

STACY FRANCINE BENT

Date

CHRISTINA LEE

Date

PHILIP HUIJE JR.

Date

4/27/05

DANIEL V. PALANKER

Date

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Title 18, §1001 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

INVENTOR SIGNATURES

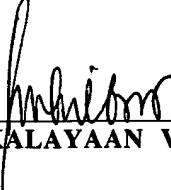
HARVEY A. FISHMAN	Date	KALAYAAN V. BILBAO	Date
MARK BLUMENKRANZ <i>Stacey Bent</i> STACEY FRANCINE BENT	Date 4/21/05		
CHRISTINA LEE <i>Christy Lee</i>	Date 4/21/05		
PHILIP HUIE JR.	Date		
DANIEL V. PALANKER	Date		

MAY 20 2005
PATENT & TRADEMARK OFFICE
I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Title 18, §1001 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

INVENTOR SIGNATURES

HARVEY A. FISHMAN

Date


KALAYAAN V. BILBAO

4-21-05
Date

MARK BLUMENKRANZ

Date

STACEY FRANCINE BENT

Date

CHRISTINA LEE

Date

PHILIP HUIE JR.

Date

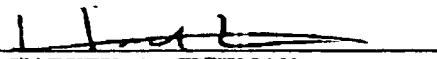
DANIEL V. PALANKER

Date

BEST AVAILABLE COPY

MAY 20 2005
PATENT & TRADEMARK OFFICE
I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Title 18, §1001 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

INVENTOR SIGNATURES


HARVEY A. FISHMAN

5/18/05
Date

KALAYAAN V. BILBAO

Date

MARK BLUMENKRANZ

Date

STACEY FRANCINE BENT

Date

CHRISTINA LEE

Date

PHILIP HUIK JR.

Date

DANIEL V. PALANKER

Date



I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both under Title 18, §1001 of the United States Code, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

INVENTOR SIGNATURES

HARVEY A. FISHMAN	Date	KALAYAAN V. BILBAO	Date
MARK BLUMENKRANZ	5-9-05		
STACEY FRANCINE BENT	Date		
CHRISTINA LEE	Date		
PHILIP HUIE JR.	Date		
DANIEL V. PALANKER	Date		